

CITY OF NEWPORT DOCKET OF THE COUNCIL

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on **March 23, 2011, at 6:30 p.m.**

PLEDGE OF A LLEGIANCE TO THE FLAG

PROCLAMATIONS HONORING

WILLIAM M. DOHERTY AND CAMERON S. DOHERTY

FINALISTS IN THE NATIONAL GEOGRAPHIC GEO-BEE

CITIZEN'S FORUM: (Speakers must sign in with the City Clerk). The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
 - a. Minutes of the March 9, 2011, Council Meeting (Approve)
 - b. Special Event License:
 - 1) The Newport Elegance, LLC, d/b/a Newport Concours d'Elegance Antique Car Exhibition; Fort Adams State Park, May 22, 2011, from 9:30 a.m. to 4:30 p.m.

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: www.cityofnewport.com – "Current Newport City News & Announcements" – Click on "MORE NEWS." Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER'S OFFICE TWO WEEKS IN ADVANCE OF THE MEETING.

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- 2) International Tennis Hall of Fame, d/b/a Campbell's Hall of Fame Tennis Championships; 194 Bellevue Ave., from July 4 to 10, 2011, from 10:00 a.m. to 6:00 p.m.
- 3) Newport Festivals Foundation, Inc., d/b/a Newport Jazz Festival Opening Night; International Tennis Hall of Fame @ Newport Casino, 194 Bellevue Ave., August 5, 2010, from 8:00p.m. to 11:00 p.m.
- c. Banner License, Newport Boys and Girls Clubs; 15 banners on America's Cup Ave. and Memorial Blvd. West, from August 5-15, 2011, promoting the Newport Antiques Show.
- d. Banner License, International Tennis Hall of Fame; 40 banners on America's Cup Ave. and Memorial Blvd. West, from June 20 – July 10, 2011, promoting the Campbell's Tennis Champions.
- e. Holiday Selling Licenses, New:
 - 1) Sea Island Rhode Island, LLC, d/b/a J. McLaughlin, 180 Bellevue Ave.
 - 2) Tucquet, LLC, d/b/a Tucquet, 34A Bowen's Wharf
- f. Holiday Selling License, Renewals:
 - 1) Retail Brand Alliance, d/b/a Brooks Brothers, 139 Swinburne Row
 - 2) Janet Culkins, d/b/a Cabbage Rose, 493 Thames St.
 - 3) Dupa Lama, d/b/a Coral, 471 Thames St.
 - 4) Five Below, Inc., d/b/a Five Below, 199 Connell Highway
 - 5) Tsering W. Ngamdung, d/b/a Lotus, 411 Thames St.
 - 6) Newport Historical Soc., d/b/a Museum of Newport History, 127 Thames St.
 - 7) The Fudgery Inc., d/b/a Newport Fudgery, 168 Thames St.
 - 8) The Fudgery Inc., d/b/a Newport Fudgery, 359 Thames St.
 - 9) Marriott Hotel Services, d/b/a Newport Marriott Hotel, 25 America's Cup Ave.
 - 10) American Shipyard Co., LLC, d/b/a Newport Shipyard Outfitters, 33 Bannister's Wharf
 - 11) C.O.T., Inc., d/b/a Newport Sunglass Shop, 109 Swinburne Row
 - 12) Oriental Arts, LTD, d/b/a Oriental Arts, 103 Swinburne Row
 - 13) Pink Pineapple, LLC, d/b/a Pink Pineapple, 380 Thames St.
 - 14) Primavera, Inc., d/b/a Primavera, 4 Bowen's Wharf
 - 15) Sally Beauty Supply, Inc., d/b/a Sally Beauty Supply, 199 Connell Highway
 - 16) Bunnies Unlimited, LLC, d/b/a Sequin, 117 Bellevue Ave.
 - 17) Bunnies Unlimited, LLC, d/b/a Sequin, 474 Thames St.
 - 18) Jane Kropp, d/b/a Stardust Fashion Jewelry, 359 Thames St.
 - 19) Hyatt Regency Newport, d/b/a Stillwater Spa, 1 Goat Island

- 20) Tsering Ngamdung, d/b/a Tibet-in-Port, 411 Thames St.
- 21) Cajé Enterprises, LLC, d/b/a The UPS Store, 270 Bellevue Ave.

- g. Second Hand License, Renewals:
 - 1) Boston Twins, LLC, d/b/a Karma, 13 Touro St.
 - 2) Washington Sq. Services Corp., d/b/a St. Paul's Thrift Shop, 326 Broadway

- h. Holiday Selling License, Renewal, Mint, LLC, d/b/a Wish, 106 William St. (new location)

- i. Second-hand License, Renewal, Mint, LLC, d/b/a Wish, 106 William St. (new location)

- j. Waste Hauler License, New, American Carting Express, Inc., d/b/a Throw Away, 19 Tartaglia St., Johnston, RI.

- k. Resignation of Marty Grimes from the Energy & Environment Commission (Receive with regret)

- l. CRMC notices of intention to change management plans, policies, procedures and regulations (Receive)

- m. Claim of Timothy and Rachael Cavazza (Receive and refer to city solicitor)

LICENSES AND PERMITS

- 2. Annual Victualing License, New, 108 Laces, Inc., d/b/a Mudville Pub, 8 West Marlborough St., first floor and rear patio (in conjunction with transfer of Class BV alcoholic beverage license)

COMMUNICATIONS & PETITIONS

- 3. Communication from Turner C. Scott, Esq., on behalf of Verbena, LLC, 155 Ocean Ave., re: Installation of Buried Utility Lines Along Shoulder (of Ocean Ave.) to Replace Existing Overhead Lines between Gooseberry Beach and Carroll Ave.

4. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Energy & Environment Commission (two vacancy) – Applicant: Lauren Carson; Doug Sabetti

Historic District Commission (one full member; one alternate) – Applicants: Lauren H. Carson, John Drotos, Chris Fagan, Lewis John, Kristine Royal

Newport Housing Authority (one vacancy) – Applicants: Patricia Archer, John Drotos, Charles Laranjo, Nicole Vazquez

Tree & Open Space Commission: Reappointment of Susan Ruf

RESOLUTIONS

5. Establishing the Lower Thames St. Enhancement Pilot Project Working Group (LTEPP) – N. Neville

COMMUNICATIONS FROM THE CITY MANAGER

6. Communication #4807/11, re: Implementation of Twenty-four Hour Resident Parking on Washington St., from Marsh St. to Poplar St. (with accompanying ordinance; continued from March 9, 2011)
- Communication from Merry A. Preston, 53 Washington St., in support of 24-hour resident parking.
7. Communication #4814/11, re: CRMC File No. 2011-01-014, Application to Create a 6.0 Aquaculture Farm to Grow Blue Mussels in Rhode Island Sound
8. Communication #4815/11, re: Bid Award for Harbor Center Windows (with accompanying resolution)
9. Communication #4816/11, re: Bid Award for Field Deployable Video System – City Hall Secondary (with accompanying resolution)
10. Communication #4817/11, re: Bid Award for City Hall Secondary Emergency Operations Center – Climate Control System (with accompanying resolution)

11. Communication #4818/11, re: Bid Award for Memorial Boulevard Stonewall Restoration (with accompanying resolution)
12. Communication #4819/11, re: U.S. Environmental Protection Agency Grant Application -- Assistance Award (Easton's Beach UV Project) (with accompanying resolution)
13. Communication #4820/11, re: Bid Award for Engineering Services for Bliss Mine Force Main Evaluation (with accompanying resolution)
14. Communication #4821/11, re: Bid Award for Engineering Services for Sanitary Sewer Improvements (with accompanying resolution)
15. Memorandum from the City Manager, re: Commercial Recycling (Resolution No. 2011-11)
16. Memorandum from the City Manager, re: Planning Department Evaluation (Resolution No. 2011-12)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

1. **CONSENT CALENDAR** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
 - a. Communication from the Shareholders of Mama Luisa, Inc., d/b/a Mama Luisa Italian Restaurant, 673 Thames St., re: Notice of Change in Stock. (Receive)
 - b. Class F-1 Daily Liquor Licenses, International Tennis Hall of Fame, Inc., 194 Bellevue Ave., July 4 to 10, 2011.
 - c. Sunday Selling License, Renewal, Vickers' Liquors, LLC, d/b/a Vickers' Liquors, 274 Bellevue Ave.

LICENSES AND PERMITS

2. Application of Newport Prescription Center, Inc., d/b/a Island Liquors, 291 Broadway, holder of a Class A alcoholic beverage license, to expand its licensed premises into 289 Broadway, for a total licensed premises of 6,680 square feet. (Hearing)
3. Application of Great Pub, LLC, d/b/a Mudville Pub, 8 West Marlborough St., first floor and rear patio, to transfer its Class BV alcoholic beverage license to 108 Laces, Inc., d/b/a Mudville Pub, for the same premises. (Hearing)
 - a. Communication Lillian Magee Lloyd, Esq., re: notification that transfer of the Class BV License to MLJ, Inc. (approved by Council on Feb. 23, 2011) is no longer under consideration.
 - b. Bills of Indebtedness:

1) Newport Specialty Foods:	\$ 2,935.17
2) Don Jestings & Sons:	\$ 1,519.66
3) McLaughlin & Moran, Inc.	\$ 7,401.40
4) RI Distributing Co.	\$ 1,610.24
5) Horizons	\$ 6,956.49
6) Shoreline Electrical Services, Inc.:	\$ 1,400.00
7) Lillian Magee Lloyd, Esq., on behalf of MLJ, Inc. (Michael P. Jacquard)	\$30,646.00

COMMUNICATIONS FROM THE CITY MANAGER

4. BLC Communication #4811/11, re: Show Cause Hearing: Billy Goode Company, Inc., d/b/a Billy Goode's - Violation of the Conditions of the Class BV Alcoholic Beverage License – Failure to Submit a Certificate of Good Standing from the Secretary of State, Failure to Pay Renewal Fees (Plus Penalties) for said Alcoholic Beverage and Victualing Licenses, Failure to Receive Clearance from the Newport Tax Collector, and Failure to Submit Verification of Alcohol Server Training. (Continued from 3/9/2011)
5. BLC Communication #4812/11, re: Show Cause Hearing: A&O, Inc., d/b/a Asterisk - Violation of the Conditions of the Class BV Alcoholic Beverage License – Failure to Receive Clearance from the RI Division of Taxation and Failure to Submit a Certificate of Good Standing from the Secretary of State. (Continued from 3/9/2011)
6. BLC Communication # 4813/11, re: Show Cause Hearing – Oak Street Partnership, Inc., d/b/a Kerry Hill Club for: Violation of the Conditions of the Class D Alcoholic Beverage License – Failure to Receive Clearance from the RI Division of Taxation, Failure to Submit a Certificate of Good Standing from the Secretary of State, Failure to Pay the Current Year Alcoholic Beverage License Fee, and Failure to Receive Clearance from the Newport Tax Collector. (Continued from 3/9/2011)

Kathleen M. Silvia
City Clerk

March 16, 2011